

08.03.2021
Court No.28
Item No. **31**
Krishnendu
Bail Rejected

CRM 726 of 2021
(Via video Conference)

In Re:- An application for bail under section 439 of the Code of Criminal Procedure ;

And

In Re : **Pranab Ghosh @ Babu Ghosh.**

.....Petitioner

Mr. Phiroze Edulji,
Ms. Rajnandini Das,

....For the Petitioner

Mr. Sanjay Bardhan,
Ms. Manisha Sharma

.....For the State

The present application under Section 439 of the Code of Criminal Procedure has been preferred by the petitioner in connection with Barasat Police Station FIR No. 465 of 2019 dated 26.08.2019 under section 21 of the Narcotic Drugs & Psychotropic Substances Act, 1985 (Case No. N-123 of 2019).

Mr. Edulji, learned advocate for the petitioner submits that in the instant case charge sheet was submitted on 30.09.2019 and supplementary charge sheet was submitted on 14.10.2020. According to the learned advocate, charge has been framed on 04.02.2021 and the prosecution has relied upon ten witnesses to prove its case.

Mr. Bardhan, learned advocate for the State opposes the prayer for bail and submits that the quantity of contraband, so seized, was of commercial quantity and as such the provisions of Section 37 of the N.D.P.S. Act are attracted.

We have taken into account the period of detention of the petitioner and having regard to the fact that commercial quantity of contraband was seized from the petitioner, we are not inclined to grant bail to the petitioner. As such, his prayer for bail is rejected.

However, as the petitioner is in custody since 26.08.2019 and the prosecution has relied upon ten witnesses to prove its case and the next date, so fixed for evidence, is on 25/26.03.2021, we direct the learned Trial Court to conduct the trial in a regular manner so that the same can be concluded within a reasonable period of time. We further direct that no unnecessary adjournment should be granted to either of the parties and all efforts must be taken for concluding the trial.

With the aforesaid observations, the application for bail, being CRM 726 of 2021, is disposed of.

(Tirthankar Ghosh, J)

(Tapabrata Chakraborty, J)